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## PATENT

ATTORNEY DOCKET NO.: 056103-5057-14

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Robert BLAKE et al.

Application No.: 10/071,950

Filed: February 6, 2002

For: **BAR CODE READER FOR AUTO-  
MATICALLY DETECTING THE  
PRESENCE OF A BAR CODE USING  
LASER FLICKER**

Confirmation No.: 4201

Group Art Unit: 2876

Examiner: Thien Minh LE

**MAIL STOP AMENDMENT**

**Commissioner for Patents**  
**Mail Stop Amendment**  
**Alexandria, VA 22314**

Sir:

## AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment responding to the Non-Final Office Action dated December 17, 2004.
2. Additional papers enclosed:

- ☒ Terminal Disclaimer
  - ☒ Revocation of Previous Power(s) of Attorney and Grant of New Power of Attorney
  - ☐ Drawings: Formal    Informal (Correction)
  - ☐ Information Disclosure Statement
  - ☐ Form PTO-1449, \_\_\_\_ references included
  - ☐ Citations
  - ☐ Declaration of Biological Deposit
  - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input checked="" type="checkbox"/> three months	\$ 1,020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1,590.00	\$ 795.00

Extension of time fee due with this request: \$1,020.00.

- ☐ An extension for \_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).



5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	37	minus	37	0	x \$50 each=	+ \$0.00
Independent Claims (37 C.F.R. §1.16(b))	9	minus	9	0	x \$200 each=	+ \$0.00
[ ] First presentation of Multiple dependent claim(s)					\$360.00	+ \$
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$0.00

6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☒ The Commissioner is hereby authorized to charge the amount of \$1,150.00 to include (\$1,020.00 for the three-month extension of time fee and \$130.00 for the Terminal Disclaimer Fee) to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated June 17, 2005

By: Mary Jane Boswell  
Mary Jane Boswell  
Reg. No. 33,652

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PRESENCE OF A BAR CODE USING	)	
LASER FLICKER	)	

Commissioner for Patents  
**Mail Stop Amendment**  
Alexandria, VA 22314

Sir:

**AMENDMENT**

In response to the Office Action dated December 17, 2004, the period for response to which extends through extends through June 17, 2005 by a three-month extension of time petitioned for herein, please amend the above-identified application as follows:

06/21/2005 HALI11 00000024 500310 10071950  
01 FC:1253 1020.00 DA